

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 840

93RD GENERAL ASSEMBLY

2006

3085L.06T

AN ACT

To repeal sections 227.290 and 227.299 RSMo, and to enact in lieu thereof two new sections relating highways and bridges.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 227.290 and 227.299, RSMo, are repealed and two new
2 sections enacted in lieu thereof, to be known as sections 227.290 and 227.299, to
3 read as follows:

227.290. 1. Whenever in the opinion of the state highways and
2 transportation commission the advantageous use of any interest in land or any
3 leasehold which has heretofore or may hereafter be acquired by the commission
4 has ceased, **or for any other lawful reason the commission wishes to**
5 **dispose of the property**, the [state highways and transportation] commission
6 shall have authority to convey [the same for the best available cash price] **or**
7 **exchange such interest in land or leasehold for its approximate fair**
8 **market value pursuant to any administrative procedure or process as**
9 **determined by the commission**, by deed signed by its [chairman] **chair** or
10 vice [chairman] **chair** and attested by its secretary[; provided, however,
11 that]. Before any sale shall be consummated under this section, the [grantor to
12 the state of] **original owner of the property which is now** offered for sale[, if
13 real estate,] **by the commission** and if such [grantor] **owner** shall at the time
14 **of sale** be in possession of the adjoining land, shall be notified by written notice
15 [of] **by the [state transportation] department[, of transportation** of such
16 contemplated sale[; provided, that]. All moneys received from the disposal of any

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 such interest in land or leasehold shall be deposited **by the commission** in the
18 state treasury to the credit of the state road fund[; provided further, that
19 when]. Any land or leasehold herein described **that** has been donated without
20 charge [whatsoever,] by the owner [and grantor of said property] to the purpose
21 of state highway construction or maintenance and such [grantor] **owner** is still
22 in possession of contiguous property, the same shall revert to such original owner
23 without cost to [him] **the owner** if and when relinquished by the [state]
24 **commission**.

25 **2. The commission may also, in its discretion, convey at no cost,**
26 **or exchange its interest in any land or leasehold that is no longer**
27 **necessary to be used for the construction, maintenance, or operation of**
28 **the state highway system, or for any other lawful reason, to any federal,**
29 **state, or local governmental entity.**

227.299. 1. Except as provided in subsection [8] **7** of this section, an
2 organization **or person** that seeks a bridge or highway designation **on the state**
3 **highway system** to honor an event, place, organization, or person who has been
4 deceased for more than two years shall petition the department of transportation
5 by submitting the following:

6 (1) An application in a form prescribed by the director, describing the
7 bridge or segment of highway for which designation is sought and the proposed
8 name of the bridge or relevant portion of highway. The application shall include
9 the name of at least one current member of the general assembly who will
10 sponsor the bridge or highway designation. The application may contain written
11 testimony for support of the bridge or highway designation;

12 (2) [Each application submitted under this section shall be accompanied
13 by] A list of at least one hundred signatures of individuals who support the
14 naming of the bridge or highway; **and**

15 (3) [A deposit of four hundred dollars per sign proposed to designate the
16 bridge or highway, with the funds to be used for construction of each sign;

17 (4) A deposit of six hundred dollars per sign proposed, with the funds to
18 be used to maintain each sign; and

19 (5)] **A fee, to be determined by the commission to cover the costs**
20 **of constructing and maintaining the proposed signs. The fee shall not**
21 **exceed the cost of constructing and maintaining each sign.**

22 **2.** All moneys received by the department of transportation for the
23 construction and maintenance of bridge or highway signs **on the state highway**

24 **system** shall be deposited in the state treasury to the credit of the ["Department
25 of Transportation Bridge and Highway Sign Fund" which is hereby created. The
26 state treasurer shall be custodian of the fund and shall make disbursements from
27 the fund requested by the Missouri director of the department of transportation
28 for personal services, expenses, and equipment required to construct and
29 maintain signs erected in accordance with the provisions of this section.

30 2. At the end of each state fiscal year, the director of the department of
31 transportation shall:

32 (1) Determine the amount of all moneys deposited into the department of
33 transportation bridge and highway sign fund;

34 (2) Determine the amount of disbursements from the department of
35 transportation bridge and highway sign fund which were made to construct and
36 maintain the signs; and

37 (3) Subtract the amount of disbursements from the income figure referred
38 to in subdivision (1) of this subsection and deliver this figure to the state
39 treasurer.

40 3. The state treasurer shall transfer an amount of money equal to the
41 figure provided by the director of the department of transportation from the
42 department of transportation bridge and highway sign fund to the state highways
43 and transportation department fund. An unexpended balance in the department
44 of transportation bridge and highway sign fund at the end of the biennium not
45 exceeding twenty-five thousand dollars shall be exempt from the provisions of
46 section 33.080, RSMo, relating to transfer of unexpended balances to the general
47 revenue fund.

48 **4.] state road fund.**

49 **3.** The documents and fees required under this section shall be submitted
50 to the department of transportation [thirty days before any approval or denial by
51 the house and senate committees on transportation during that legislative
52 session] **no later than November 1 prior to the next regular session of**
53 **the general assembly to be approved or denied by the joint committee**
54 **on transportation oversight during such legislative session.**

55 **[5.] 4.** The department of transportation shall give notice of any proposed
56 bridge or highway designation **on the state highway system** in a manner
57 reasonably calculated to advise the public of such proposal. Reasonable notice
58 shall include posting the proposal for the designation on the department's official
59 public web site, and making available copies of the sign designation application

60 to any representative of the news media or public upon request and posting the
61 application on a bulletin board or other prominent public place which is easily
62 accessible to the public and clearly designated for that purpose at the principal
63 office.

64 [6.] 5. If the memorial highway designation requested by the organization
65 is not approved by the [house and senate committees] **joint committee** on
66 transportation **oversight**, ninety-seven percent of the application fee shall be
67 refunded to the requesting organization.

68 [7.] 6. Two highway signs shall be erected for each bridge and highway
69 designation[, except] **on the state highway system processed under this**
70 **section**. When a named section of a highway crosses two or more county lines,
71 consideration shall be given by the department of transportation to allow
72 additional signage at the county lines or major intersections.

73 [8.] 7. Highway or bridge designations **on the state highway system**
74 honoring **fallen** law enforcement officers [or], members of the armed forces killed
75 in the line of duty, **or state employees killed while serving the state** shall
76 not be subject to the provisions of this section.

77 [9. Upon approval of a bridge or highway designation, the department of
78 transportation shall provide five miniature signs, free of charge, to persons or
79 organizations sponsoring signs under this section.]

80 8. **No bridge or portion of a highway on the state highway system**
81 **may be named or designated after more than one event, place,**
82 **organization, or person. Each event, place, organization, or person**
83 **shall only be eligible for one bridge or highway designation.**

84 9. **Any highway signs erected for any bridge or highway**
85 **designation on the state highway system under the provisions of this**
86 **section shall be erected and maintained for a twenty-year period. After**
87 **such period, the signs shall be subject to removal by the department of**
88 **transportation and the bridge or highway may be designated to honor**
89 **events, places, organizations, or persons other than the current**
90 **designee. An existing highway or bridge designation processed under**
91 **the provisions of this section may be retained for additional twenty-**
92 **year increments if, at least one year before the designation's expiration,**
93 **an application to the department of transportation is made to retain**
94 **the designation along with the required documents and all applicable**
95 **fees required under this section.**

96 10. The provisions of this section shall apply to bridge or highway
97 designations sought after August 28, [2005] **2006**.

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Bill

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